



Attorney  
Docket No. LD125b

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 1624  
Examiner: B. Coleman  
Applicant: Gregory D. Vite et al.  
Serial No. 09/084,542  
Filed: May 26, 1998  
For: Epothilone Derivatives

Princeton, New Jersey 08543-4000  
April 5, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

**PETITION REQUESTING WITHDRAWAL OF HOLDING OF ABANDONMENT\***

This is in response to the Notice of Abandonment dated March 29, 2000 received in connection with the above-captioned application. The Notice indicates that the present case is abandoned in view of "Applicant's failure to respond to the Office letter, mailed 6/23/99".

Applicants respectfully request the withdrawal of the holding of abandonment on the basis that they did not receive the aforementioned Office Action. In accordance with 1156 OG 53 ("Withdrawing the Holding of Abandonment When Office Actions Are Not Received"):

- (1) the undersigned hereby states that the Office Action was not received by applicants, the undersigned, or applicants' assignee;
- (2) the undersigned hereby attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received; and
- (3) a copy of the docket records<sup>1</sup> where the non-received Office Action would have been entered had it been received and docketed are attached hereto.

In view of the above, applicants respectfully request reconsideration and withdrawal of the holding of abandonment, that the present case be returned to pending status,

**\* CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

4/5/00  
Joan E. Switzer

*Joan E. Switzer*  
Date

<sup>1</sup> The docket records attached show the docket as of July 7, 1999 through December 20, 1999, covering the period of time from the mailing date of the Office Action (June 23, 1999) to six months thereafter when the response would have been due (December 23, 1999).

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OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

and that they be mailed an Office Action so that they may respond and have this case considered for allowance.

If there is any fee due in connection with the filing of this Petition, please charge such fee to Deposit Account No. 19-3880. If there is any extension of time required not already petitioned for, such extension is hereby petitioned for.

Respectfully submitted,

  
Joan E. Switzer  
Registration No. 34,740  
Telephone: (609) 252-4741

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**LAWRENCEVILLE DOCKET SHEET**  
**AMENDMENTS**  
(as of July 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June 1 3 22 24 25 29 29 30		GY51a	LD45b		HA689b  HX90a HX92a HX91a	UP1002c ER37
July 2 2 5 23	HA710b HX96  HA714b					TN2 LD111a
August 10 10 19	HA716 HX55b		CT2262g			
Sept. 16 18 21	LA23				HA648a	LD128a
Oct. 1	LA19b					
Nov.						
Dec.						



LAWRENCEVILLE DOCKET SHEET  
Final Rejection/Notice of Appeal  
(as of July 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June						
July 12						LD86b F.R.
August						
Sept. 8 28	HA693a F.R.					LD137a N.O.A.
Oct.						
Nov.						
Dec.						



**LAWRENCEVILLE DOCKET SHEET**  
AMENDMENTS  
 (as of August 2, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June 24 25		GY51a	LD45b		HA71a/30	
July 2 5	<del>HA710b</del>					<del>TNZ</del>
August 10 10 19	HA716 HX55b		CT2262g GY303/30	LD151b/17		
Sept. 16 18 21	LA23				HA706a/20 <del>HA648a</del> <del>HA714a/19</del> AR	LD128a
Oct. 1 12	<del>LA19b</del> HX79e	HA705a/4 HA704a/11				
Nov.	HX93a/12		LD115a/18			ER39/6 LD111a/18
Dec.						



**LAWRENCEVILLE DOCKET SHEET**  
**Final Rejection/Notice of Appeal**  
 (as of August 2, 1999)

MONTH	Rodman	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June						
July						
August						
Sept. 8 28	HA693a F.R.					LD137a N.O.A.
Oct. 14 26	HA692a F.R.					TN1 F.R.
Nov.					HA699a/3 HA6896/11	
Dec.						



**LAWRENCEVILLE DOCKET SHEET**  
AMENDMENTS  
 (as of September 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan.		HA112a/20				
Feb.	HA112a/4 HX96/5					LD145b/10
March		GY52a STK/7				TN1a/6
April						
May						
June						
24		<del>GY51a</del>				
25			<del>LD15b</del> (3/20/91) (3/24)			
July						
August						
10	<del>HA716</del>					
10	<del>HX55b</del>					
19			<del>GY2262g</del> GY30g/30			
Sept.						
16						<del>LD128a</del>
20					<del>HA706a</del>	
21	<del>LA23(2/2/91)</del>					
Oct.						
1	<del>LA19b</del>					
12	<del>HX79e</del>					
30			GY30g			
Nov.						
6	<del>LA21/9</del>					<del>ER30</del>
12	4x93a/12	RON			<del>HX43a</del>	<del>LD111A</del>
18	HA22a/8		<del>LD115a</del>		HA1706a/29	
Dec.	<del>HA214/8</del> <del>LA23b/7</del> <del>HA23b/7</del> <del>HA23b/7</del>				HA202a/24	LD123A/14 ER20/14 LD126b/29

HA22a/16

**LAWRENCEVILLE DOCKET SHEET**  
**Final Rejection/Notice of Appeal**  
 (as of September 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999	HX91/12	27512/20			HX91a/31	TR2/22
Feb.						
March						
April						
May						
June						
July						
August						
Sept. 8	<del>HA699a</del> <del>F.R.</del>					
28						LD137a N.G.A.
Oct. 14	<del>HA699a</del> <del>F.R.</del>					
26						<del>PN1 F.R.</del>
Nov. 3						
11					HA699a F.R. HA699b F.R.	
Dec.					HX90a/14 F.R.	





LAWRENCEVILLE DOCKET SHEET  
AMENDMENTS  
 (as of December 20, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	<i>Babcock</i> <del>Marenberg</del>
2000						
Jan. 20		HA718a	LD55b/15	LD140A/21		
Feb. 4 5 10	HA697b HX96					LD145b
March 6 7		GY52a				TN1a LD124A/22
April	HA721a/3					
May						
June						
July						
August 1999						
Sept.						
Oct.						
Nov. 12 28					<del>HA93a</del> <del>HA706a</del>	
Dec. 14 24 29					<del>HA702a</del>	LD123a LD126b

**LAWRENCEVILLE DOCKET SHEET**  
**Final Rejection/Notice of Appeal**  
 (as of December 20, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
2000						
Jan.						
14	HX55b F.R.					
21					HX91a F.R.	
22						TN2 F.R.
26		GY51a F.R.				
Feb.						
March						
20			LD111a F.R.			
April						
May						
June						
July						
August						
Sept.						
Oct.						
Nov.						
Dec.						